

# HOUSE BILL No. 1306

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-23-5-9.

**Synopsis:** Restrictions on roadside mowing. Restricts the mowing of roadside vegetation on the rights-of-way or medians on any primary or interstate highway. Provides exceptions for the mowing of the entire right-of-way during a certain time of the year, mowing for safety concerns, mowing to control weeds or insects, and mowing to promote native vegetation.

**Effective:** July 1, 2001.

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**Grubb, McClain**

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January 9, 2001, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 1306

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A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 8-23-5-9 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2001]: **Sec. 9. (a) This section applies to the mowing by the**  
4 **department of roadside vegetation on the rights-of-way or medians**  
5 **of any primary or interstate highway or state highway.**

6       **(b) On any highway, the first eight (8) feet away from:**

7           **(1) the road surface; or**

8           **(2) the shoulder, if one exists;**

9 **may be mowed at any time.**

10       **(c) Roadside vegetation may be mowed to:**

11           **(1) promote native species of vegetation or other long lived**  
12 **and adaptable vegetation; or**

13           **(2) control damaging insect populations, noxious weeds, and**  
14 **invader plant species.**

15       **(d) An entire right-of-way may be mowed after July 31 and**  
16 **before September 1 of each year. After August 31 and before the**  
17 **following August 1, an entire right-of-way:**



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- 1           (1) may be mowed only if necessary for safety reasons; and  
2           (2) may not be mowed to a height of less than twelve (12)  
3           inches.  
4       (e) A right-of-way:  
5           (1) may be mowed as necessary to maintain sight distance for  
6           safety; and  
7           (2) may otherwise be mowed as ordered by the commissioner.  
8       (f) A right-of-way may be mowed, burned, or tilled to prepare  
9       the right-of-way for the establishment of permanent vegetative  
10       cover or for prairie vegetation management.

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